

# **Contra Costa Water District Proposition 1E Grant Proposal Attachment 1**

## **Authorization and Eligibility Requirements**





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**East Contra Costa County Region  
Contra Costa Water District  
Stormwater Flood Management Grant Proposal**

**ATTACHMENT 1 –  
AUTHORIZATION & ELIGIBILITY**

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**Authorizing Documentation**

A resolution adopted by Contra Costa Water District's (CCWD's) Board of Directors authorizing CCWD to submit this application and execute an agreement with the State of California for a Stormwater Flood Management Grant is included following **Page 1-4** of this attachment.

**Eligible Applicant Documentation**

A written statement from CCWD confirming its eligibility as an applicant for this grant is included following **Page 1-5** of this attachment.

**GWMP Compliance**

The project included within this proposal does not include groundwater recharge or groundwater management and does not have any direct positive or negative impacts to local groundwater sources.

**Consistency with an Adopted IRWM Plan**

The Contra Costa Canal Improvement Project was identified as a high priority in the original IRWMP adopted in July 2005. The proposed Project is a phase of the Contra Costa Canal Improvement Project that was part of the adopted IRWMP. Since the IRWMP was adopted in July 2005 (prior to September 30, 2008) the Plan needs to be updated to reflect the standards listed in the current Guidelines. The East County region was recently awarded a planning grant to update this plan and the ECWMA committed to completing this update within the required timeframe.

## **Eligibility Criteria**

The proposed Contra Costa Canal Levee Elimination and Flood Protection Project (Project) is eligible for implementation grant funding, as follows.

- ✓ **The Region has been accepted.** The East Contra Costa County Region has been accepted through the Regional Acceptance Process (RAP) and is listed in Table 1 (Round 1 Implementation Eligible IRWM Regions from the 2009 RAP Decisions) under the San Joaquin Funding Area.
- ✓ **The Region's IRWMP was adopted prior to September 30, 2008.** The East Contra Costa County Functionally Equivalent IRWMP was adopted in July 2005. If awarded a grant, the East County Water Management Association (ECWMA), the regional water management group representing this region, will update this IRWM Plan within two years of the execution date of the agreement to meet the IRWM Plan standards contained within the Guidelines and will undertake all reasonable and feasible efforts to account for the water-related needs of disadvantaged communities (DACs) within the region.
- ✓ **The Project included within this Proposal yields flood protection and other benefits.** The Project provides the following benefits:
  - Implementation of multi-purpose flood management programs
  - Improvement of water quality
  - Water supply reliability
- ✓ **The Project is Consistent with the Applicable RWQCB Basin Plan.** The Canal is located within Region 5, while portions of CCWD's service area that ultimately receive water that has been conveyed by the Canal are located in Region 2. The proposed Project is consistent with the Region 2 and Region 5 Basin Plans because it will help to reduce the loading and / or concentrations of several of the water quality parameters of concern noted in the Basin Plans. In addition to providing enhanced flood protection, this Proposal seeks to improve both drinking water and receiving water quality. This Project will benefit water quality in Regions 5 and 2, and is therefore consistent with the appropriate Basin Plans. While the project-level reductions in pollutant loading and improvements in parameter concentrations are generally expected to be too small to measure, the overall effect is an improvement in water quality, consistent with Region 2 and Region 5 Basin Plan objectives.
- ✓ **The Projects is NOT part of the State Plan of Flood Control (SPFC).** As shown in **Figure 1-1** on the following page, the proposed Project is not part of the State Plan of Flood Control.

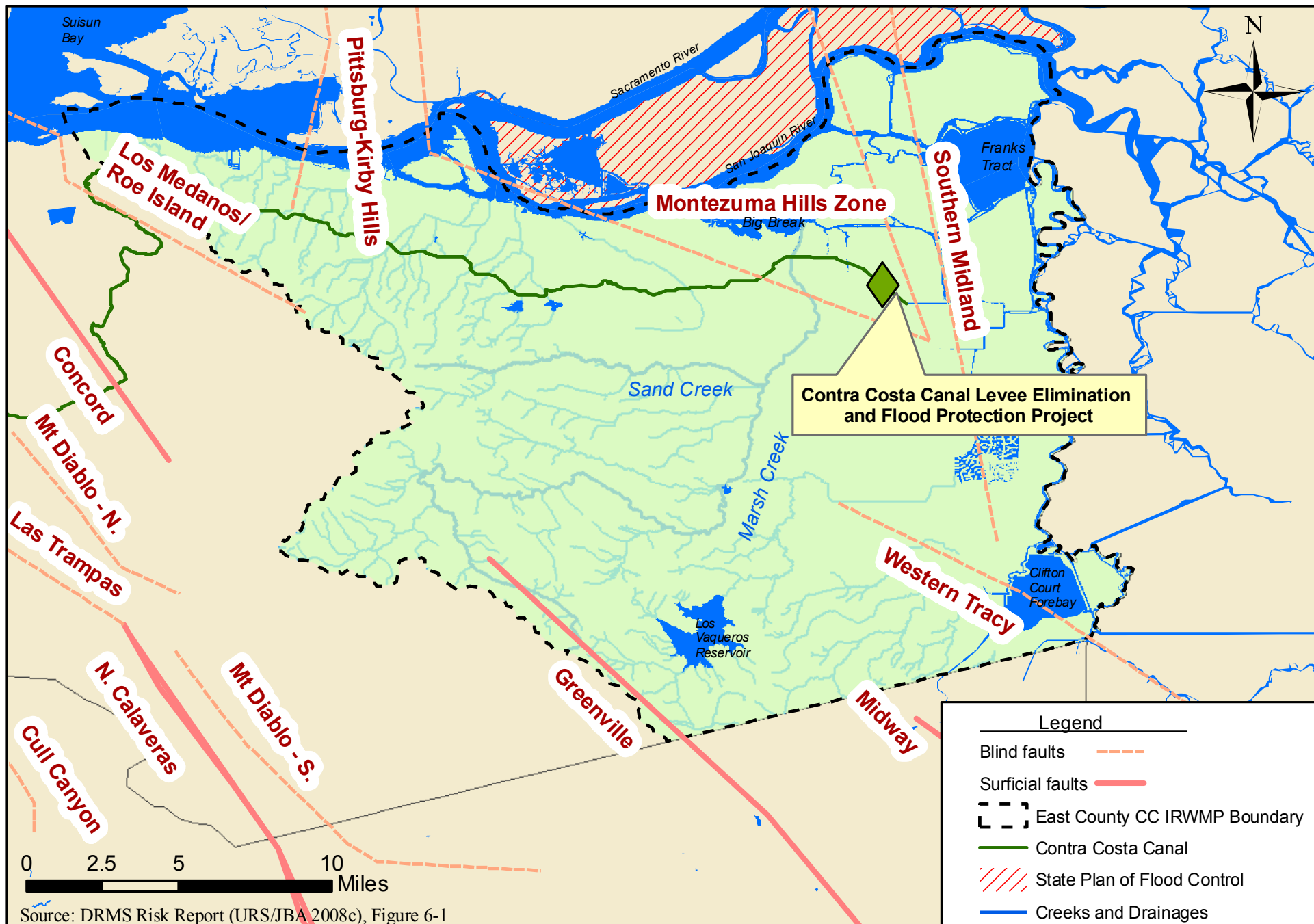
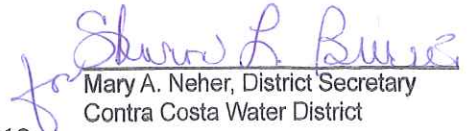


Figure 1-1: Regional Map

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**Authorizing Documentation:**

CCWD Board Resolution

  
Mary A. Neher, District Secretary  
Contra Costa Water District

**RESOLUTION NO. 11-12**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CONTRA COSTA  
WATER DISTRICT AUTHORIZING AN APPLICATION FOR A PROPOSITION 1E  
STORMWATER FLOOD MANAGEMENT GRANT AND EXECUTION OF AN  
AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES,  
CONDITIONED UPON GRANT AWARD**

WHEREAS, in November 2006, Proposition 1E: the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resource Code (PRC) Section 5096.800 *et seq.*) was passed by the vote of the people of California; and

WHEREAS, Stormwater Flood Management grant funding is made available pursuant to Proposition 1E and works in conjunction with the Integrated Regional Water Management (IRWM) Grant Program; and

WHEREAS, the IRWM Grant Program is administered by the California Department of Water Resources; and

WHEREAS, there is a maximum grant amount of \$30,000,000 available per project with a 50% minimum funding match of the total project costs to be paid for with non-State funds; and

WHEREAS, grant application procedures established by the California Department of Water Resources require applicants to provide a copy of a resolution adopted by the applicant's governing body designating an authorized representative to file an application and enter into an agreement to receive a Stormwater Flood Management grant; and

WHEREAS, the Canal Levee Elimination and Flood Protection Project meets the eligibility criteria for grant funding and yields multiple benefits.



NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Contra Costa Water District that the General Manager, or his designee, is hereby authorized to prepare the necessary data, conduct investigations, and execute and submit all documents and applications, which may be necessary to obtain a grant.

BE IT FURTHER RESOLVED, by the Board of Directors of Contra Costa Water District that the General Manager, or his designee, is hereby authorized to execute any and all agreements, amendments, and payment requests which may be necessary to receive a Stormwater Flood Management grant, and for the initiation and completion of the project.

\* \* \* \* \*

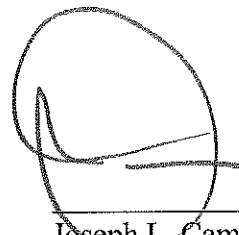
The foregoing Resolution was duly and regularly adopted at a meeting held on the 6th day of April 2011 by the Board of Directors of Contra Costa Water District by the following vote of the Board:

AYES: Boatmun, Burgh, Borba, Campbell, Wandry

NOES: None

ABSTAIN: None

ABSENT: None

A handwritten signature in dark ink, appearing to read "Joseph L. Campbell", is written over a horizontal line.

Joseph L. Campbell, President

ATTEST:

A handwritten signature in dark ink, appearing to read "Mary A. Neher", is written over a horizontal line.

Mary A. Neher  
District Secretary

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**Eligible Applicant Documentation:**

CCWD Statement of Eligibility



1331 Concord Avenue  
P.O. Box H2O  
Concord, CA 94524  
(925) 688-8000 FAX (925) 688-8122  
www.ccwater.com

**Directors**

Joseph L. Campbell  
*President*

Karl L. Wandry  
*Vice President*

Bette Boatman  
Lisa M. Borba  
John A. Burgh

Jerry Brown  
*General Manager*

April 12, 2011

California Department of Water Resources  
Division of Integrated Regional Water Management  
Financial Assistance Branch  
Post Office Box 942836  
Sacramento, CA 94236-0001

**Subject: Proposition 1E Stormwater Flood Management Grant Application,  
Attachment 1 - Eligible Applicant Documentation**

To Whom It May Concern,

Contra Costa Water District (CCWD) is submitting a Proposition 1E Stormwater Flood Management Grant proposal. To that end, CCWD has prepared this written statement to address the questions posed under Attachment 1 of the *Proposition 1E Integrated Regional Water Management Proposal Solicitation Package for Stormwater Flood Management Grants*, as published by the California Department of Water Resources in August 2010.

**Q1: Is the applicant a local agency as defined in Appendix B of the Guidelines?  
Please explain.**

Yes, CCWD is a local agency as defined in Appendix B of the Guidelines. CCWD is a special district formed in 1936 and is, therefore, considered a public agency.

**Q2: What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?**

CCWD was formed under the provisions of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefore, and also to provide for the distribution and sale of water by said districts." This act was later incorporated in the State Government Code §16271[d]. Please see the attached copy of the 1936 Enabling Act forming CCWD.



**Q3: Does the applicant have legal authority to enter into a grant agreement with the State of California?**

As previously mentioned, CCWD is a special district. As such, it has the same legal authority as that granted to many cities and counties. Specifically, CCWD can enter into contracts and agreements, employ workers, acquire real property through purchase or eminent domain, issue debt and charge fees for its services.

**Q4: Describe any legal agreements among partner agencies and/or organizations that ensure performance of the Proposal and tracking funds?**

There are no partner agencies involved with CCWD in this grant proposal, therefore there are no legal agreements.

**Groundwater Compliance**

The project included within this proposal does not include groundwater recharge or groundwater management and does not have any direct positive or negative impacts to local groundwater sources.

**Consistency with an Adopted IRWM Plan**

The one project included in this proposal, the Contra Costa Canal Levee Elimination and Flood Protection Project, was identified as a high priority regional project in the original East Contra Costa County Integrated Regional Water Management (IRWM) Plan adopted in July 2005, largely due to its consistency with the regional IRWMP goals and objectives. The proposed project is a phase of the Contra Costa Canal Project that was part of the adopted IRWM Plan.

Please contact Ms. Marie Valmores at (925) 688-8132 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Brown", with a long horizontal flourish extending to the right.

Jerry Brown  
General Manager

JB/MV/rlr

Attachment



STATE OF CALIFORNIA

Department of State

I, FRANK C. JORDAN, Secretary of State of the State of California, do hereby certify that on the 9th day of May, 1936, there was filed in this office a certificate of the County Clerk of the County of Contra Costa, state aforesaid, showing the adoption of a proposition to organize and incorporate the

CONTRA COSTA COUNTY WATER DISTRICT

under the provisions of an act entitled, "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts." Approved June 10, 1913, and subsequent amendments thereto.

And it appearing from said certificate that said proposition was adopted in the manner required by said act, now therefore I do hereby certify that

CONTRA COSTA COUNTY WATER DISTRICT

has been duly incorporated according to law and the laws of the State of California.



IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of California to be affixed hereto this 9th day of May, A.D. 1936.

FRANK C. JORDAN  
Secretary of State

By Frank C. Jordan  
Assistant Secretary of State

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